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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,177	12/27/2000	Yuki Yamamoto	1046.1229/JDH	2992

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EXAMINER

QUELER, ADAM M

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/748,177	YAMAMOTO ET AL.	
	Examiner	Art Unit	
	Adam M. Queler	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 21-24 and 31-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 21-24 and 31-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/13/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 05/05/2005 and Information Disclosure Statement (IDS) filed 04/13/2005.
2. Claims 1-12, 21-24, and 31-34 are pending in the case. Claims 1, 8, 21, 23, 29, 30, 31, and 33 are independent claims.
3. The objections to the specification are withdrawn in view of Applicant's amendments.
4. The rejections of claims 2 and 4 under 35 U.S.C. 112, first and second paragraph, are withdrawn in view of Applicant's amendments.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-4, 7-9, 12, 21, 23, 31, and 33 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kumano et al. (US006047252A, filed 6/30/1997) and further in view of Ando et al. (US006523000B1, filed 12/27/1999).**

Regarding independent claim(s) 1, 21, and 31, Kumano teaches setting a language tag designating a type of language (col. 6, ll. 3-7). Kumano teaches that the tags are attached to constituent units of the original and translated portions (col. 4, ll. 38-45). Kumano does not teach combining these documents together. Ando teaches combining an original and a translated version together (Fig. 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ando and Kumano, thereby combining the original and

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translated tagged documents together, for the purpose of presenting them for user review (Ando, col. 1, ll. 17-18).

Regarding independent claim(s) 8, 23 and 33, Kumano teaches setting a language tag designating a type of language (col. 6, ll. 3-7). Kumano teaches that the tags are attached to constituent units of the first and second portions (col. 4, ll. 38-45). Kumano does not teach combining these documents together. Ando teaches combining a first and second version together (Fig. 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ando and Kumano, thereby combining the original and translated tagged documents together, for the purpose of presenting them for user review (Ando, col. 1, ll. 17-18).

Regarding dependent claim(s) 2, as the two versions of Ando and Kumano are combined as described in claim above, that form is broadly considered to be in original-versus-version form.

Regarding dependent claim(s) 3, Kumano teaches translating the original to create the translated version c4.46-52.

Regarding dependent claim(s) 4, Kumano teaches the original is in a tagged document (Fig. 5).

Regarding dependent claim(s) 7 and 12, Kumano teaches that a browser interprets and displays the tags c6.21-27.

Regarding dependent claim(s) 9, Kumano teaches the texts are related to each other (col. 4, ll. 38-45)

7. **Claims 5, 6, 10, 11, 22, 24, 32 and 34 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kumano and Ando as applied to claims 1, 8, 21, 23, 31, and 33 above, and further in view of Furman et al., "Positioning HTML Elements with Cascading**

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Style Sheets, W3C Working Draft 31-Jan-1997” (<http://www.w3.org/TR/WD-positioning-970131>).

Regarding dependent claim(s) 5, 10, 22, 24, 32 and 34, Kumano and Ando teach tags as set forth in claim 1 above. Kumano and Ando do not teach a visibility tag. Furman teaches two div tags with CSS property's that make the div tags, a visibility tag and invisibility tag, respectively (Furman §2.5, ex. 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Furman with Kumano and Ando, thereby using CSS to make the tags Kumano and Ando, visibility/invisibility tags which would make one of the original or translated versions invisible. This would have been obvious because it would expose the web page to dynamic scripting (Furman §2.5, ex. 8).

Regarding dependent claim(s) 6 and 11, Kumano, Ando and Furman teach that one of the versions is invisible as explained in claim 5 above. Additionally, since the tags are HTML, all tags, including the invisibility tag, would inherently be in an invisible state.

Response to Arguments

8. Applicant's arguments filed 05/05/2005 have been fully considered but they are not persuasive.

9. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

10. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re*

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Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Simply giving a summary of alleged summary of what each reference teaches does not negate them from teaching what the Office has suggested they teach as described in the rejections above.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Queler whose telephone number is (571) 272-4140. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AQ

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
7/21/2005